

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q87757

Toshiyuki TAKASU, et al.

Appln. No.: 10/534,290

Group Art Unit: 1611

Confirmation No.: 9818

Examiner: KLINKEL, KORTNEY L

Filed: May 9, 2005

For: REMEDY FOR OVERACTIVE BLADDER COMPRISING ACETIC ACID ANILIDE
DERIVATIVE AS THE ACTIVE INGREDIENT

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
September 15, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was mailed September 18, 2009.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: Claim 1
3. Identification of art discussed: None
4. Identification of principal proposed amendments: None
5. Brief Identification of principal arguments: None
6. Indication of other pertinent matters discussed: None

7. Results of Interview:

After Applicants' representative pointed to pages 18-19 and discussed the unexpected results shown for the claimed compound in comparison to CGP-12,177A, the Examiner agreed that the claimed compound has demonstrated an unexpectedly superior effect on smooth muscle relaxation. The Examiner stated that the claims may not be commensurate in scope with Applicants' unexpected results (in particular, the explanation regarding results of Example 2), with respect to the range encompassed by the phrase "pharmaceutically effective amount". Applicants' representatives presented arguments that determination of dosage would be dependent on factors such as weight, age, and sex, and that such determination is routinely done in the medical art so the claims should have to be unduly restricted to a dosage range. Furthermore, Applicants' representative agreed to provide additional explanation, if any to clarify the results of Example 2 in the specification.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

/Sunhee Lee/

Sunhee Lee
Registration No. 53,892

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Attorney Docket No.: Q87757

/Tu A. Phan/

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Date: October 5, 2009

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